

**IN THE UNITED STATES DISTRICT COURT
THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

Stewart Title Guaranty Company,)
Plaintiff,) Case No. 3:09-0890
v.)) Judge Campbell
Harry C. Tinsley, III,)) Magistrate Judge Brown
Defendant.))

DEFAULT JUDGMENT

Pending is Plaintiff's Motion to Reconsider Denial of Motion for Default Judgment against Defendant (Docket Entry No. 28). Plaintiff's Motion for Default Judgment (Docket Entry No. 17) is made pursuant to Federal Rule of Civil Procedure (FRCP) 55(b)(1)(Docket Entry No. 17). The Clerk previously entered default pursuant to FRCP 55(a)(Docket Entry No.13).

Based upon the affidavit of the process server submitted by Plaintiff (Docket Entry No. 26), which corrects the misstated service address provided in the original affidavit (Docket Entry No. 6), the Clerk concludes that service was made upon the Defendant and a motion for default judgment may go forward. Accordingly, since Defendant has been served and has failed to respond in the time permitted, the Clerk will grant Default Judgment as requested by Plaintiff. Pursuant to FRCP 55(b)(1), the Clerk grants default judgment in the amount of \$110,900.62, with additional interest accruing at the rate of \$17.15 per day from December 9, 2009, through the date of this judgment and interest at the statutory post-judgment rate hereafter.

s/ Keith Throckmorton
Keith Throckmorton
Clerk of Court